

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL MCCURTY,  
Plaintiff,  
v.  
S. SIORDIA,  
Defendant.

Case No. [19-cv-05761-YGR](#) (PR)

**ORDER STAYING ACTION AND  
REFERRING FOR SETTLEMENT  
PROCEEDINGS; DIRECTIONS TO  
CLERK; AND TERMINATING  
PENDING MOTION AS MOOT**

The Court finds that this action should be referred to Magistrate Judge Robert M. Illman for settlement proceedings.<sup>1</sup>

Accordingly, the Court hereby REFERS this case to Magistrate Judge Illman for settlement proceedings pursuant to the Pro Se Prisoner Mediation Program. Such proceedings shall take place within 120 days of the date this Order is filed, or as soon thereafter as Magistrate Judge Illman's calendar will permit. Magistrate Judge Illman shall coordinate a place, time and date for one or more settlement conferences with all interested parties and/or their representatives and, within ten (10) days after the conclusion of all settlement proceedings, shall file with the Court a report thereon.

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<sup>1</sup> In Plaintiff's other pending action, *McCurty v. Aguirre*, Case No. 19-cv-03090 YGR (PR), Defendant's attorney, Deputy Attorney General Iram Hasan, states that he and Plaintiff met and conferred about the status of that case at the conclusion of the Plaintiff's November 6 deposition, and that Plaintiff indicated an interest in a global settlement involving both Case No. 19-cv-03090 YGR (PR) and the instant matter. *See* Hasan Decl. ¶ 3 in Case No. 19-cv-03090 YGR (PR). Attorney Hasan filed a declaration in Case No. 19-cv-03090 YGR (PR), which states as follows: "After evaluating deposition testimony, the relative positions of the parties, the fact that Plaintiff has a separate but very similar case pending before this Court, and in reliance on Plaintiff's position regarding settlement, I determined that the parties and judicial resources would be best served by an attempt at settlement before the parties resort to motion practice." *Id.* ¶ 4 in Case No. 19-cv-03090 YGR (PR).


Magistrate Judge Illman is advised that the docket contains an April 29, 2020 Order of Partial Dismissal and Service of Cognizable Claims.

In view of the referral, further proceedings in this case are hereby STAYED. The Clerk shall ADMINISTRATIVELY CLOSE this case until further order of the Court. If the case is not settled, the Court will enter a new scheduling order for further proceedings. Thus, at this time, Defendant's pending motion for an extension of time to file a dispositive motion is TERMINATED as moot. Dkt. 14.

This Order terminates Docket No. 14.

IT IS SO ORDERED.

Dated: December 3, 2020

  
YVONNE GONZALEZ ROGERS  
United States District Judge

cc: Magistrate Judge Robert M. Illman

United States District Court  
Northern District of California